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**Attorneys for Defendant**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**UNITED STATES OF AMERICA,**  
  
**Plaintiff,**  
  
**v.**  
  
**PIROUZ SEDAGHATY,**  
  
**Defendant.**

**CR 05-60008**  
  
**MOTION TO AMEND RELEASE  
CONDITIONS**

Defendant, Pirouz Sedaghaty, through his attorneys, Federal Public Defender Steven T. Wax and Lawrence Matasar, hereby moves this Court to amend the release

conditions which were previously imposed in this matter. On November 30, 2007, this Court set conditions of release on Mr. Sedaghaty that included a number of special conditions that severely restricted his movements. In the nearly eight months that Mr. Sedaghaty has been out of jail, those conditions have been relaxed on several occasions. At all times, Mr. Sedaghaty has been in full compliance with the conditions imposed by this Court. At first, the Court kept relatively strict control over Mr. Sedaghaty's movements outside of the apartment. Over time, those conditions have been somewhat relaxed.

Since the beginning of April 2008, Mr. Sedaghaty has been living in an apartment and has been gainfully employed. Given the excellent track record Mr. Sedaghaty has developed of compliance with the Court's conditions and compliance with all legal and societal norms, and the directive in 18 U.S.C. § 3142(c)(1)(D) that the Court impose the "least restrictive" conditions, Mr. Sedaghaty urges the Court to further amend the conditions of release. The requested amendments are made after consultation with Pretrial Services Officer Mike McFarland. It is our understanding that all of these changes are acceptable to the Pretrial Services Office.

Mr. Sedaghaty requests that the Court strike the following special conditions that were included in the Order of November 30, 2007:

1. that Mr. Sedaghaty submit to search of person, place, residence, and vehicle at the direction of Pretrial Services;
2. that Mr. Sedaghaty pay a percentage of all fees for services obtained while under Pretrial Services supervision. This condition is, as we understand it, tied to the GPS and/or electronic monitoring. As noted below, we are urging the Court to delete that requirement;
3. that Mr. Sedaghaty give the Pretrial Services Office permission to install monitoring software on any computer in the defendant's possession or

control that allows random or regular monitoring of the defendant's computer use and the accompanying periodic inspection;

4. the third party custodial requirement. This condition was amended by the Court when Mr. Sedaghaty moved from Ashland to Portland;
5. the use of GPS and/or radio frequency monitoring;
6. the restriction of Mr. Sedaghaty to his residence at all times except for medical necessity or court appearances or other activities specifically approved by the Court. This condition has been slowly relaxed during the course of the eight months of Mr. Sedaghaty's release and should now be removed.

The remaining, relatively standard conditions of reporting, employment, notification of change in residence, restriction of travel to the state of Oregon without prior approval, surrender of passport, non-possession of firearms, non-possession of mail, financial or other documents in any other person's name, not opening financial accounts or lines of credit without prior approval of Pretrial Services, no contact with specified people, the reporting of financial transactions in excess of \$1,000.00, and the bond condition would remain in place under the proposed amended conditions.

RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of July, 2008.

/s/ Steven T. Wax  
Steven T. Wax  
Federal Public Defender

/s/ Lawrence Matasar  
Lawrence Matasar